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24 *The American Automobile Association, Inc.*

25 **THE UNITED STATES DISTRICT COURT**

26 **DISTRICT OF NEVADA**

27 THE AMERICAN AUTOMOBILE
28 ASSOCIATION, INC.,

CASE NO.: 2:19-cv-00255-APG-PAL

29 Plaintiff,
30 v.
31 AAA ANYTIME, INC., MITCHELL
32 WINIK, and KATHERINE CARTER,
33 Defendants.

**STIPULATION AND PROPOSED
ORDER FOR ENLARGEMENT OF
TIME FOR DEFENDANTS TO
RESPOND TO THE COMPLAINT**

(First Request)

34 Plaintiff The American Automobile Association, Inc. (“AAA” or “Plaintiff”) and
35 Defendants AAA Anytime, Inc., Mitchell Winik and Katherine Carter (“Defendants”), by and
36 through their respective attorneys of record, pursuant to Rule 6(b)(1) of the Federal Rules of Civil
37 Procedure (“FED. R. CIV. P.”), and Local Rule 6-1, hereby stipulate and agree as follows:
38

1 1. Plaintiff commenced this action on February 12, 2019 by filing a *Complaint*
2 against Defendants for trademark infringement in violation of Section 32 of the Federal
3 Trademark Act (the “Lanham Act”), 15 U.S.C. § 1114; false designation of origin and unfair
4 competition in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a); cybersquatting
5 in violation of Section 43(d) of the Lanham Act, 15 U.S.C. § 1125(d); trademark dilution in
6 violation of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c), and Nev. Rev. Stat. § 600.435;
7 deceptive trade practices in violation of Nev. Rev. Stat §§ 41.600 and 598.0915; and common
8 law trademark infringement. (ECF No. 1).

9 2. The Summons and Complaint were served upon Defendant AAA Anytime, Inc.
10 on or about February 13, 2019. (ECF No. 7).

11 3. The deadline for Defendant AAA Anytime, Inc. to file its answer or otherwise
12 respond to the Complaint in accordance with FED. R. CIV. P. 12(a)(1) is March 6, 2019.

13 4. The Summons and Complaint were served upon Defendants Mitchell Winik and
14 Katherine Carter on or about February 23, 2019. (ECF Nos. 8 and 9).

15 5. The deadline for Defendants Mitchell Winik and Katherine Carter to file their
16 respective answers or otherwise respond to the Complaint in accordance with FED. R. CIV. P.
17 12(a)(1) is March 18, 2019.

18 6. Defendants are collectively represented in this action by Philip A. Kantor, Esq.

19 7. The parties are currently negotiating a resolution of this matter without further
20 Court intervention; however, the parties anticipate that negotiations will not be completed prior
21 to the current deadlines for Defendants to file and serve their responses to the Complaint.

22 8. WHEREFORE, the parties stipulate and agree to enlarge the time for Defendants
23 to answer or otherwise respond to the Complaint for an additional thirty (30) days to April 5,
24 2019.

25 9. This Stipulation is submitted prior to the expiration of the period provided for the
26 filing and service of Defendants’ responses to the Complaint (March 6th and 18th), is not
27 interposed merely for delay, and is made in good faith between the parties hereto.

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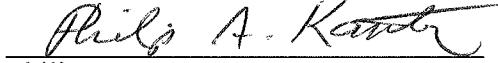
1 10. This is the first stipulation to enlarge the time for Defendants to answer or
2 otherwise respond to the Complaint.

3 **IT IS SO STIPULATED:**

4 DATED March 4, 2019.

5 
6 David J. Freeman, Esq.
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8 HOLLAND & HART LLP
9 9555 Hillwood Drive, 2nd Floor
10 Las Vegas, NV 89134

11 DATED March 4, 2019.

12 
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19 *Attorneys for Plaintiff*

20 **IT IS SO ORDERED:**

21 
22 UNITED STATES MAGISTRATE JUDGE

23 DATED this 5th day of March, 2019.

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